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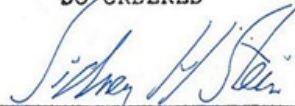
MEMO ENDORSED

Application granted. The sentencing is adjourned to December 17, 2020, at 2:30 p.m. Defense submissions are due by December 3, the government's submissions are due by December 10, 2020.

May 29, 2020

**Dated: New York, New York
August 20, 2020**

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

SO ORDERED

SIDNEY H. STEIN
U.S.D.J.

Re **USA v. John Tortora,
18 Cr. 537 (SHS)**

Dear Judge Stein:

We, along with Barry Levin, represent John Tortora. We write to request an adjournment of Mr. Tortora's October 6, 2020 sentencing due to his need to address issues related to his stroke and a torn hip labrum for which his doctor recommends surgery, but which Mr. Tortora is reluctant to get during the pandemic. Mr. Tortora is also accompanying his daughter to counseling and medical appointments twice per week to deal with her anorexia and drug addiction.¹ It is reported that she is doing well, with no issues, since Mr. Tortora returned home in March. Mr. Tortora is also CDC-described "at-risk" person subject to several comorbidities, including diabetes and hypertension. He does not waive an in-person sentencing. In light of the COVID-19 pandemic, we respectfully request an in-person sentencing date in mid-December or thereafter that is convenient for the Court and safe for all participants. The government does not object to this request. We also request a due date for the defense sentencing submissions two weeks before sentencing, consistent with your Honor's prior sentencing schedule in this case.

Respectfully,



Nicholas Kaizer

cc: AUSA Justin V. Rodriguez
AUSA Chris Clore
USPO Jessica Velez

¹ Under the terms of Mr. Tortora's presentence release, he is permitted out of his Yonkers' home to visit with his and his daughters' physicians and other treatment professionals. Counsel has coordinated such visits with Pretrial Services, without incident.